

Virginia Agricultural BMP Technical Advisory Committee
Meeting 9:30 AM, February 16, 2012
Draft Summary

TAC members in attendance:

Member	Representing	Member	Representing
Megen Dalton	VACDE	Steve Hopkins	VCE
Mark Hollberg	DCR	Wayne Turley	SR Cons. Tech.
Diane Beyer	DCR	Emily Horsley	FSA
Robert Bradford	Area II Chair (Proxy)	Chad Wentz	NRCS
Tom Turner	CB Cons. Tech.	Libby Norris	CBF
Tim Sexton	DCR Nut. Man.	Marc Puckett	DGIF
Stephanie Martin	DCR	Blair Krusz	Agribusiness Col.
Tony Pane	DCR	Ronnie Nuckols	Area III Rep. (proxy)

Participants: Emily Nelson, TJSWCD; Debbie Cross, DCR; Chris Hamilton, NRCS

The meeting began at 9:30 AM. Gary Moore led and facilitated the discussion that followed. A summary of discussion topics, action items, and significant conclusions are as follows:

The draft summary of the January 4, 2012 TAC meeting was reviewed and approved with one change noted.

Old Business

- ◆ **Voluntary BMP Pilot Project:** Stephanie Martin provided an update on the Voluntary BMP Pilot Project; Mr. David Johnson (Director of DCR) and Anthony Moore, (Assistant Secretary of Natural Resources) attended the last voluntary BMP meeting along with the six pilot districts. One hundred ten voluntary BMPs that meet NRCS standards have been entered into the Tracking Program mostly in the Coastal Plain. The voluntary practices entered include continuous no till, nutrient management, cover crops and buffers. The definition of functional equivalent is still being developed by EPA.
- ◆ **Resource Management Plans (RMP):** Stephanie Martin provided an update on RMP activities; The Regulatory Advisory Panel (RAP) met on Feb. 14, 2012. RAP member comments were gathered and progress was made on drafting regulations that are due to go before the Soil and Water Conservation Board (SWCB) on March 29, 2012. This semi-regulatory process is subject to the Administrative Process Act (APA) and if the draft regulations are approved by the SWCB on March 29 then they could be ready by February of 2013.
It was noted that the Watershed Implementation Plan (WIP) Phase II includes implementing RMPs. At a minimum a RMP for an agricultural operation would contain; erosion reduced to T, livestock exclusion, nutrient management planning on all acres, and buffers that average 35' in width. All BMPs in the plan would need to be implemented before "safe harbor" would be granted. A RMP would have a lifespan of nine (9) years, so long as all BMPs were maintained. Many types of incentives are under consideration to encourage operators to seek RMP coverage. Incentives could include; increased cost-share, or cost-share only for RMP implementation, green labeling, bonus payments and others. Still under discussion are Acts of God, and who and how are RMPS enforced?
Having a RMP is voluntary, it would show that the farm is at the limit of technology (LOT) and is doing everything that is appropriate for conservation of natural resources. While in "safe harbor" the operation would be exempt from any changes to TMDL requirements. Having a RMP does not impact permit requirements. RMPs are envisioned to be a working tool between a conservation planner and a farmer to maintain conservation functionality. No additional RAP meetings are scheduled at this time.
- ◆ **Natural Resources Conservation Service (NRCS):** Chad Wentz provided an update of NRCS activities. The first batch of EQIP applications are currently being evaluated, 435 applications for ~\$9.5M have been

received. Additional applications are being accepted and will be considered after March 30. If EQIP funds are available a third batching period will be available June 1st. Five percent of the state's EQIP will be spent in nationally selected 12 digit Hydrologic Units. NRCS has received 287 applications for Chesapeake Bay Watershed Initiative (CBWI) for ~\$11.9 M. Forestry practices have ~\$600K; high tunnels have ~\$300K available. One hundred twenty Conservation Security Program (CSP) applications have been received. There will be no new CCPI projects this year, existing grants should receive funding. Farm and Ranchland Protection Program (FRPP) and Grassland Protection Program (GRP) are having problems finding match for applications.

- ◆ **Farm Service Agency (FSA):** Emily Horsley provided information about FSA programs. FSA & NRCS will be conducting local office and in field quality assurance verifications of CRP and CREP contracts. There will be a Conservation Reserve Program (CRP) readiness initiative training March 21, through 23, 2012. The training is designed to increase private sector knowledge of CRP, CREP and increase TSP capacity. Trainings will be conducted at Shepardstown, WV by Penn State University under a national training contract. A nationwide competitive Conservation Reserve Program (CRP) will be available from March 12 to April 6, 2012. Only for cropland with an erodibility index of 8 or greater or state conservation priority areas (most of VA) for whole field applied practices. The Southern Rivers CREP is running out of enrollment acres.
- ◆ Gary informed the TAC that the two letters of response (Three Rivers SWCD & Area VI no till issues) that he wrote and received input from the TAC membership have not yet been reviewed by division management and approved for distribution.
There was a presentation about the TAC support for moving animal waste practices from base to priority or dissolving the priority practice, base 80% - 20% funding criteria to both Mr. Johnson and Mr. Peck. There have been further discussions since that time. DCR staff have been directed not to discuss the possibilities until after the March 29 Soil and Water Conservation Board meeting.
- ◆ **Cover crop subcommittee report:** The TAC recommended including the same language changes to the CCI-CNT as was recommended for the SL-15A. Tim Sexton noted that the Chesapeake Bay Program (CBP) Agricultural Workgroup will be considering changes to CNT and Conservation Tillage reductions that might warrant disallowing any tillage. The TAC determined that it would reconsider when the changes are actually made. The TAC suggested that the cover crop subcommittee look at revising the SL-8H language as a result of the changes to the SL-8B that prohibits all harvesting to allow producers to change from one cover crop practice to another at any time.
- ◆ **Stream protection subcommittee report:** Emily Nelson provided a summary of the Stream protection subcommittee issues and discussion. The TAC recommended making the LE-2 practice eligible statewide. Emily suggested rewording the LE-2 specification to bring its language closer to the SL-6 practice. The TAC believes that consistent wording for exclusion practices enhances a consistent staff approach and work flow. Concern was expressed about encouraging a 10' setback fence when the RMP and maybe TMDL requirements require a 35' wide buffer. It was noted that a buffer must be at least 35' in average width to meet Virginia's definition of a buffer. Scientific studies in the Chesapeake Bay watershed indicate that 35' is where some biological treatment of nutrients & sediments begin; with wider buffers producing more contaminate reductions.
Emily introduced a proposed BMP that would allow the use of 35' setback fence and 10' setback fence in the same field. Several difficult issues were discussed: 1) making sure that both the 10' and 35' fence are properly recorded. 2) What language is appropriate to assure that the appropriate setback fence is put in the proper place to treat the runoff from the pasture. 3) How is cost share calculated? The stream protection subcommittee will continue to work on this specification language. The TAC will discuss developing this specification further at the next TAC meeting.
- ◆ The matrix of TAC recommendations was distributed and discussed some changes to the existing language were suggested.

New Business

- ◆ Marc Puckett distributed and discussed proposed revisions to the DGIF Wildlife BMPs. Most of the changes are to promote the use of proper plant materials and to provide proper planting rates and provide greater flexibility to the private land biologist in the field. Marc advised the TAC that all 15 counties within the six SWCDs are now eligible to implement these practices. The TAC recommended that the revised specifications be included in the 2013 BMP Manual.
- ◆ Gary discussed two lifespan oriented documents that he has developed. One contains copies of all of the lifespan clauses from the existing BMPs the other proposed some standardized language that could be applied to a large number of those practices. Gary will distribute to the TAC members for their consideration and discussion at the next meeting.

Agency Updates

- ◆ **VCE** announced that 28 staff has been hired since the reorganization was denied. The Assistant Director for Ag. Programs position (Jim Ridell's old job) is being advertised presently.
- ◆ **Chesapeake Bay Foundation:** Libby Norris reminded the TAC that the Farmer to the Bay trip is scheduled for March 16 through 18. In addition to this 3 day trip, a one day canoe trip on Smith Creek is scheduled for April 21st. Contact Libby with any suggestions for participants. The CBF website (<http://www.cbf.org>) currently is displaying a link to a you tube video about a buffer planting project on Muddy Creek. It can be accessed from you tube with this link: http://cbf.typepad.com/bay_daily/2012/01/3-minute-video-packs-big-message.html
- ◆ She also promoted a maintenance project on March 9 & 10 in Rockingham Co. that needs volunteers to help remove invasive plants, overseed clover in a pasture and plant live stakes along the streambank shoreline.
- ◆ **DGIF:** DGIF is asking its Board to authorize 5% TA for those SWCDs providing Technical assistance in implementing the wildlife BMPs. All existing hunting and game regulations have been opened for public input with public meetings scheduled for May, June and July, consult the DGIF webpage for additional information.